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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/831,480	05/09/2001	Nicola John Policicchio	7368	5662

27752 7590 03/11/2003

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EXAMINER

KORNAKOV, MICHAIL

ART UNIT	PAPER NUMBER
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1746

DATE MAILED: 03/11/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/831,480

Applicant(s)

POLICICCHIO ET AL.

Examiner

Michael Kornakov

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29-114 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 29-114 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 29-36, 54-59, 60-72, 84 and 85, drawn to a cleaning implement.

Group II, claim(s) 37-42, 43, 44, 45 drawn to a cleaning pad and a method of using the cleaning pad, as well as an article of manufacture comprising the cleaning pad.

Group III, claim(s) 46, 47, drawn to yet another cleaning implement.

Group IV, claim(s) 48, 49, drawn to a cleaning pad different from that of Group II.

Group V, claim(s) 50-53, drawn to a cleaning sheet and a cleaning implement incorporating the cleaning sheet.

Group VI, claim(s) 73-81, drawn to a hard surface cleaning composition.

Group VII, claim(s) 82-85, drawn to a cleaning method using implement that does not have specific features of any implements of Groups I, III, V and VIII.

Group VIII, claim(s) 86-105, 113, 114 drawn to yet another cleaning implement.

Group IX, claim(s) 106-112, drawn to an article of manufacture and a kit.

2. The inventions listed as Groups I-IX do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: mm.

Where the group of inventions is claimed in one and the same international application, the requirement for unity of invention referred to in Rule 13.1 shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. The expression "**special technical features**" shall mean those technical features that define a contribution which each of the claimed inventions considered as a whole , **makes over the prior art**. The inventions listed as Groups I , II, III, IV and VIII do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, although they share the special technical feature, this special technical feature does not define a contribution over the prior art for the following reasons: Claim 29 (Group I) is either obvious or anticipated by WO 98/42246. Claim 37 (Group II) is either anticipated or obvious over U.S. 5,094,559. Claim 48 (Group III) is either anticipated or obvious over U.S. 3,656,202. Accordingly, the special technical feature linking the inventions, an absorbent layer comprising a superabsorbent material does not provide a contribution over the prior art, and no single general inventive concept exists.

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The invention listed as Group V and either of the above discussed groups of claims do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they **do not share** the special technical feature for the following reasons: a sheet claimed in Group V does not require any specific feature that can be attributed to either cleaning implement or cleaning pad.

The invention listed as Group VI and either of the above discussed groups of claims I-IV and VII do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they **do not share** the special technical feature for the following reasons: a hard surface cleaning composition can be applied to a hard surface without using any of claimed implements or sheets or pads, just by spraying on the surface and/or soaking the surface in a composition, and therefore there is no specific technical features exist linking these inventions together .

The invention listed as Group IX and either of the above discussed groups of claims I-VII do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they **do not share** the special technical feature for the following reasons: an article of manufacture, which includes a package, a sprayer and a set of instructions does not have a single feature of either the cleaning implement, or the cleaning pad or the cleaning composition recited in Groups I-IX. The method claimed as group VII does not utilize any specificities of claimed implements, and , therefore, does not share a specific technical feature with the claimed implements. Therefore, no single general inventive concept exists.

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3. No telephone call was made to request an oral election to the above restriction requirement, due to a complexity of restriction requirement.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143). Applicants' cooperation is appreciated.

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Kornakov whose telephone number is (703) 305-0400. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy Gulakowski can be reached on (703) 308-4333. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872 9310 for regular communications and (703) 872 9311 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308 2450.

M. Kornakov

Michael Kornakov
Examiner
Art Unit 1746

March 10, 2003